

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Art Unit: 2135

William Y. Conwell

Confirmation No.: 7232

Application No.: 09/888,339

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Examiner: H. Song

Issue Date: May 8, 2007 as 7,216,234

Date: April 24, 2007

Petition to Withdraw From Issue Under 37 CFR 1.313(c)(2)

Mail Stop 313(c)

COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants respectfully petition to have the above-identified application withdrawn from issue under 37 CFR 1.313(c)(2). A Request for Continued Examination (RCE), IDS submission and Supplemental Application Data Sheet are filed concurrently herewith.

Our reasons for this petition are twofold.

First, the undersigned recent noticed that several applications in the priority chain should be deleted, including: 60/141,468, 60/151,586 and 09/543,125, since each of these applications lacks a common inventor with the present application. We understand that a separate petition for an unintentionally delayed priority claim is not needed. Please see, e.g., MPEP 201.11 III. G.

Deleting Benefit Claims. The priority changes are shown in the attached supplemental application data sheet. (The supplemental application data sheet also includes some editorial and correspondence changes as well.)

Second, we request that the documents listed on the attached Form 1449 be considered and listed on the patent when it issues.

We understand that our subject U.S. patent application is set to issue on May 8, 2007. Accordingly, we are filing this Petition to withdraw the subject application from issue to allow adequate time for the USPTO to fully consider the significance, if any, of the deleted priority claim and the cited documents.

A Request for Continued Examination (RCE), Information Disclosure Statement (IDS) and form PTO-1449, and Supplemental Application Data Sheet are attached herewith.

The Office is authorized to charge any fees needed to consider this Petition including a petition fee under 37 CFR 1.17 and RCE fee to our Deposit Account No. 50-1071.

The undersigned can be reached at 503-469-4685 if there are any questions associated with this Petition.

Respectfully submitted,

Date: April 24, 2007

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